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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,289	02/12/2004	Katsumi Hisano	248779US2RD	3502
22850	7590	03/02/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			LARKIN, DANIEL SEAN	
			ART UNIT	PAPER NUMBER
			2856	

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/776,289

Applicant(s)

HISANO ET AL.

Examiner

Daniel S. Larkin

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1,2,4-8 and 13-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3 is/are rejected.
- 7) ☒ Claim(s) 9-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of the species embodied in Figure 9A, claims 3 and 9-12, the reply filed on 15 December 2005 is acknowledged.
2. Claims 1, 2, 4-8, and 13-18 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 15 December 2005.

Priority

3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

4. The disclosure is objected to because of the following informalities:
Page 1, line 13: A -- comma -- should be inserted prior to the term "such".
Page 1, line 14: A -- comma -- should be inserted after the term "system".
Page 1, line 20: A -- comma -- should be inserted prior to the term "such".
Page 1, line 21: A -- comma -- should be inserted after both occurrences of the term "such".
Page 3, lines 10 and 24: Should the term "reserve" be corrected to read -- contain --?

Page 4, lines 12, 22, and 25: Should the term "reserving" be corrected to read -- containing --?

Page 5, line 2: Should the term "reserving" be corrected to read -- containing --?

Page 6, lines 22 and 25: Should the term "reserving" be corrected to read -- containing --?

Page 7, lines 1, and 24: Should the term "reserve" be corrected to read -- contain --?

Page 7, line 2: A -- comma -- should be inserted prior to the term "such" and after the term "dye".

Page 7, lines 3, 5, 13, 18, 22, and 26: Should the term "reserving" be corrected to read -- containing?

Page 7, line 265: Should the term "reserved" be corrected to read -- contained --?

Page 8, lines 6, 8, and 18: Should the term "reserving" be corrected to read -- containing?

Page 8, line 14: A -- comma -- should be inserted prior to the term "as" and after the term "Then".

Page 8, line 16: A -- comma -- should be inserted prior to the term "such"

Page 8, line 17: A -- comma -- should be inserted after the term "OFF".

Page 8, line 22: A -- comma -- should be inserted prior to the term "as"; the term "electric" should be corrected to read -- electrical --; and the term "property" should be corrected to read -- properties --.

Page 8, line 23: A -- comma -- should be inserted prior to the term "such" and after the term "capacitance".

Page 9, line 3: A -- comma -- should be inserted prior to the term "such".

Page 9, line 5: A -- comma -- should be inserted prior to the term "such" and after the term "memory".

Page 9, line 20: The article "a" prior to the term "mail" should be deleted, or some term similar to -- message -- should be inserted after the term "mail".

Page 9, line 22: The term "furthermore" should be corrected to read -- further --.

Page 10, lines 10, 12, and 17: A -- comma -- should be inserted prior to the term "as".

Page 11, line 4: The article -- a -- should be inserted prior to the term "visible".

Page 11, line 5: A -- comma -- should be inserted after the term "Therefore".

Page 11, line 19 A -- comma -- should be inserted prior to and after the term "respectively".

Page 11, line 26: A -- comma -- should be inserted prior to the term "such".

Page 12, line 12: A -- comma -- should be inserted prior to the term "as".

Page 13, line 3: A -- comma -- should be inserted prior to the term "such" and after the term "sponge".

Page 13, line 11: A -- comma -- should be inserted prior to the term "such" and after the term "air".

Page 13, line 13: A -- comma -- should be inserted prior to the term "such" and after the term "fuel".

Page 13, line 20: The term "temperature" should be corrected to read
-- temperatures --.

Page 14, line 1: The article -- the -- should be inserted prior to the term "whole".

Page 14, line 3: The term "when" should be corrected to read --during --.

Page 14, line 5: The phrase "down over" should be corrected to read -- on --.

Page 14, line 22: The article -- the -- should be inserted prior to the term
"external". Appropriate correction is required.

Claim Objections

5. Claims 3 and 9-12 are objected to because of the following informalities:

Re claim 3, claim line 5: Should the term "reserve" be corrected to read
-- contain --.

Re claim 9, claim line 1: The "colon" after the term "wherein" should be deleted.

Re claim 9, claim line 4: A -- comma -- should be inserted after the term
"alcohol".

Re claim 10, claim line 1: The "colon" after the term "wherein" should be deleted.

Re claim 11, claim line 1: The "colon" after the term "wherein" should be deleted.

Re claim 12, claim line 1: The "colon" after the term "wherein" should be deleted.

Re claim 12, claim line 3: A -- colon -- should be inserted after the term "of".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,808,837 (Hirsch).

With respect to the limitations of claim 3, the reference to Hirsch discloses an electronic device, comprising a main body (64); a fluid device (60) containing fluid, the fluid device being attached to the main body; and a detection part (66) configured to contain leaked fluid to make the leaked fluid visible, wherein the detection part (66) is disposed on the fluid device. The reference to Hirsch fails to disclose that the fluid contains an additive. Hirsch alternatively discloses that the enclosure (66) contains an additive such that when fuel leaks from the fluid device (66) a color change of the enclosure occurs. Providing an additive to the fluid rather than to the enclosure would be within the requisite ability of one of ordinary skill in the art as means of detecting fluid leakage, given that both techniques perform a functionally equivalent manner of detecting a fluid leak.

Allowable Subject Matter

8. The following is a statement of reasons for the indication of allowable subject matter:

Prior art was not relied upon to reject claims 9-13 because the prior art fails to teach and/or make obvious a detection part configured to contain a leaked fluid containing an additive, whereby the detecting part further comprises a first detecting substance detecting water and a second detecting substance detecting alcohol in combination with all of the remaining limitations of the claim and all of the limitations of the base claim.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The prior art to JP 2000-106596 (Takahashi et al.) discloses a seal unit (10) for detecting the presence of water attached to portable telephone set using a double-coated tape (11).

The prior art to US 6,175,310 (Gott) discloses a leak detection tape that creates water soluble marks (30b) when the tape encounters the presence of water.

The prior art to US 3,485,085 (Hawkins, Jr.) discloses a leakage detection tape (14) that changes both color and resistivity to the presence of water.


Art Unit: 2856

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel S. Larkin whose telephone number is 571-272-2198. The examiner can normally be reached on 8:00 AM - 5:00 PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on 571-272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Larkin
AU 2856
27 February 2006


DANIEL S. LARKIN
PRIMARY EXAMINER